

**Finance Committee Meeting
September 24, 2009 @ 6:30 PM**

MOTION TO refer the recently discovered contract signed by the Mayor and the Acting Human Resource Director to the Finance Committee for a public hearing.

Minutes



CHICOPEE CITY COUNCIL
FINANCE COMMITTEE

ACCEPTED 12-9-09

MEMBERS

William Zaskey, Chairman
Shane Brooks, Vice-Chairman
James Tillotson
George Moreau
Dino Brunetti
John Vieau
Fred Krampits

MINUTES
September 24, 2009

The following are the minutes of a public hearing held Thursday, September 24, 2009 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present

Zaskey, Brooks, Tillotson, Brunetti, Krampits, Moreau

Absent

Vieau

Also Present

Councilor Swider, Councilor Croteau, Councilor Zygarowski, Councilor Demers, Daniel Garvey (Associate City Solicitor), Sharyn Riley (City Auditor), Sue Phillips (City Solicitor)

The meeting was called to order at 6:30 PM

ITEM #1

MOTION TO refer the recently discovered contract signed by the Mayor and the Acting Human Resource Director to the Finance Committee for a public hearing.

Councilor Brooks stated that there was no communication from the Mayor's Office to the City Council of the intended contract and the pay adjustment from approximately \$55,000.00 to approximately \$72,000.00.

Sue Phillips stated that the contract is valid however there are ambiguities. She stated that there are some missing areas in the contract. Because this is a legal binding contract it can not be voided. The position of Human Resource Director is appointed by the Mayor and confirmed by the City Council. The position can only be paid the amount that has been appropriated in the budget.

Councilor McLellan asked who drafted the contract. Sue Phillips replied that it was not the Law Department.

Councilor Brunetti asked what the date of the contract is. Sue Phillips replied that there is no date on the contract.

Councilor Croteau asked how much money is in the account. Sharyn Riley replied \$20,000.00. At the new rate it will run out in October.

Councilor Zygarowski asked who could void the contract. Sue Phillips replied the court.

Councilor Tillotson stated that he understands that the Council does not participate in negotiating a contract or drafting a contract. He would like to request that the Mayor provide a copy of the contract once it has been written and signed by all parties involved. He stated that communication is a major problem.

The Mayor stated that this contract was drawn up so that Mr. Szczebak could receive benefits which he was not receiving previously in the temporary position. He stated that other department heads contracts have retroactive clauses. He also stated that Mr. Szczebak has not been receiving sick, vacation, and personal time. He stated that he understands that this contract was poorly written and a new contract is being discussed and should be ready on Friday. The Mayor stated that the provisions of the contract have not gone into effect.

Councilor Brooks questioned why the benefits were not calculated at the \$55,000.00 rate from the beginning.

Councilor Brunetti asked who wrote the contract. The Mayor replied that it was Mr. Szczebak and himself. Sue Phillips stated that Kevin Corridan did not participate in writing the contract. He approved the contract as to form.

The committee recommended the following:

- Valid contract with ambiguities
- Will be re-written by parties involved
- Mayor will submit a contract to Council when completed

Committee vote 6 – 0 favorable.

ITEM #2

Minutes – August 31, 2009

Motion made to approve. Motion passed.

Meeting adjourned at 7:49 PM.